OIPE IAP28 JUL 16 2007 PATENT & TRADEMARK OFF

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). # **FEE TRANSMITTAL** ## **For FY 2007**	**Complete if Known**	
	Application Number	10/705,506-Conf. #1163
	Filing Date	November 12, 2003
	First Named Inventor	Tetsuo Take
	Examiner Name	J. A. Mercado
☐ Applicant claims small entity status. See 37 CFR 1.27	Art Unit	1745
TOTAL AMOUNT OF PAYMENT ($) 0.00	Attorney Docket No.	32307-198662

METHOD OF PAYMENT (check all that apply)

☐ Check   ☐ Credit Card   ☐ Money Order   ☐ None   ☐ Other (please identify): _____

☒ Deposit Account   Deposit Account Number: 22-0261   Deposit Account Name: Venable LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below   ☐ Charge fee(s) indicated below, **except for the filing fee**

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17   ☒ Credit any overpayments

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

	FILING FEES		SEARCH FEES		EXAMINATION FEES		
Application Type	**Fee ($)**	**Small Entity Fee ($)**	**Fee ($)**	**Small Entity Fee ($)**	**Fee ($)**	**Small Entity Fee ($)**	**Fees Paid ($)**
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEES

Fee Description	**Fee ($)**	**Small Entity Fee ($)**
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	**Extra Claims**	**Fee ($)**	**Fee Paid ($)**	**Multiple Dependent Claims**	
_____ - 20 =	_____ x	_____ =	_____	**Fee ($)**	**Fee Paid ($)**

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	**Extra Claims**	**Fee ($)**	**Fee Paid ($)**
_____ - 3 =	_____ x	_____ =	_____

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is $250 ($125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	**Extra Sheets**	**Number of each additional 50 or fraction thereof**	**Fee ($)**	**Fee Paid ($)**
_____ - 100 =	_____ /50 =	_____ (round up to a whole number) x	_____ =	_____

4. OTHER FEE(S)   **Fees Paid ($)**

Non-English Specification, $130 fee (no small entity discount)   _____

Other (e.g., late filing surcharge): _____   _____

SUBMITTED BY					
Signature	*[signature]*	Registration No. (Attorney/Agent)	26,032	Telephone	(202) 344-4000
Name (Print/Type)	Marina V. Schneller			Date	July 16, 2007

#876742

In re application of:

Tetsuo TAKE

Application No. 10/705,506

Confirmation No. 1163

Filed: November 12, 2003

For: FUEL CELL POWER
GENERATING SYSTEM WITH
TWO FUEL CELLS OF
DIFFERENT TYPES AND
METHOD OF CONTROLLING

Art Unit: 1745

Examiner: Julian A. MERCADO

Atty. Docket No. 32307-198662

Customer No.

26694
PATENT TRADEMARK OFFICE

AMENDMENT/RESPONSE TO NOTICE OF NON-COMPLIANCE

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Amendment is presented in response to the Office Action of December 1, 2006 and in view of the Notice of Non-Compliant Amendment of June14, 2007.

An Interview Summary was filed on June 20, 2007.

It is believed that no fee is due. Should any fee be required, please charge or credit our Account No. 22-0261 and advise us accordingly.

Please amend the application as follows:

Amendment to the Specification appears on page 2 of this paper.

Amendments to the Claims begin on page 3 of this paper.

Remarks begin on page 16 of this paper.